

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ALEX GARDEN,

Defendant.

**4:14CR3072**

**ORDER**

Defendant's counsel has advised the court that Defendant wants to waive his right to a separate preliminary hearing; that the court may consider the evidence submitted during the detention hearing for the purposes of deciding whether probable cause exists to support the pending Petition for Revocation. The government does not oppose this request. The court finds the request should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant has waived his right to a separate preliminary hearing. The preliminary hearing scheduled for today at 9:00 a.m. is cancelled.
- 2) Based on the evidence presented during the detention hearing, there is probable cause to support the allegations within the Petition.
- 3) Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later challenge the court's findings that Defendant waived his right to a preliminary hearing, and that probable cause exists.
- 4) Counsel shall promptly contact my chambers to schedule a revocation hearing before Judge Kopf.

Dated this 25th day of June, 2018.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge